

STATE OF MICHIGAN  
COURT OF APPEALS

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARVIN LEE FORD,

Defendant-Appellant.

---

UNPUBLISHED

August 19, 1997

No. 185266

Genesee Circuit Court

LC No. 94-051505-FH

Before: Sawyer, P.J., and Bandstra and E. A. Quinnell\*, JJ.

MEMORANDUM.

Defendant appeals by right his conviction for second-degree home invasion, enhanced as a third offender and resulting in a ten- to thirty-year sentence. His sole contention on appeal is that his sentence is disproportionate to the offense and the offender. We affirm.

Habitual offender sentences are reviewed by this Court only for abuse of sentencing discretion. *People v Hansford (After Remand)*, 454 Mich 320; 562 NW2d 460 (1997). The sentence guidelines are completely irrelevant to this task. *People v Edgett*, 220 Mich App 686; 560 NW2d 360 (1996). Where defendant had a prior conviction for breaking and entering an occupied dwelling and one for entry without breaking, and where one of the items stolen in the present offense was a handgun, a ten- to thirty-year sentence, when defendant could have received twenty to thirty years, does not represent an abuse of the trial court's sentencing discretion.

Affirmed.

/s/ David H. Sawyer

/s/ Richard A. Bandstra

/s/ Edward A. Quinnell

---

\* Circuit judge, sitting on the Court of Appeals by assignment.